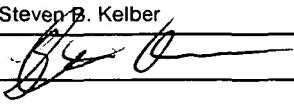




## FEE TRANSMITTAL

								Docket No.	3843-002-27 CONT						
								Serial No.	09/735,177						
								Filing Date	December 12, 2000						
								Inventor(s)	David McCray PEELE						
								Group Art Unit	1731						
TOTAL AMOUNT OF PAYMENT				\$750.00				Examiner	Walls, Dionne						
<input type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <b>UNDERPAYMENT</b> or credit any <b>OVERPAYMENT</b> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.								FEE CALCULATION (continued)							
								3. ADDITIONAL FEES							
								Large Entity		Small Entity		Fee Description			
2. <input checked="" type="checkbox"/> Check enclosed.								Fee Code	Fee (\$)	Fee Code	Fee (\$)		Fee Paid		
FEE CALCULATION								1051	130	2051	65	Surcharge-late filing fee or oath			
1. BASIC FILING FEE								1052	50	2052	25	Surcharge-late provisional filing fee or cover sheet			
Large Entity		Small Entity		Fee Description				1053	130	1053	130	Non-English specification			
Fee Code	Fee (\$)	Fee Code	Fee (\$)					Fee Paid	1812	2520	1812	2520	Ex parte reexam. fee		
1001	750	2001	375	Utility filing fee					1251	110	2251	55	1-mo. ext. of time		
1002	330	2002	165	Design filing fee					1252	410	2252	205	2-mo. ext. of time		
1003	520	2003	260	Plant filing fee					1253	930	2253	465	3-mo. ext. of time		
1004	750	2004	375	Reissue filing fee					1254	1450	2254	725	4-mo. ext. of time		
1005	160	2005	80	Provisional filing fee					1255	1970	2255	985	5-mo. ext. of time		
SUBTOTAL (1)								\$0.00	1401	320	2401	160	Notice of Appeal		
2. EXTRA CLAIM FEES									1402	320	2402	160	Appeal Brief		
tot. claims	4	-	20*	=	0	x	\$18	=	0	1403	280	2403	140	Request for Oral Hearing	
ind. claims	1	-	3*	=	0	x	\$84	=	0	1501	1300	2501	650	Utility/Reissue Issue Fee	
<input type="checkbox"/>	Multiple Dependent Claims							\$280	=	1502	470	2502	235	Design Issue Fee	
Large Entity		Small Entity		Fee Description				1503	630	2503	315	Plant Issue Fee			
Fee Code	Fee (\$)	Fee Code	Fee (\$)					1460	130	1460	130	Petitions to the Commissioner			
1202	18	2202	9	Claims in excess of 20				1806	180	1806	180	IDS Submission			
1201	84	2201	42	Independent claims in excess of 3				8021	40	8021	40	Assignment			
1203	280	2203	140	Multiple dependent claim, if not paid				1801	750	2801	375	For Filing RCE			
1204	84	2204	42	*Reissue independent claims over original patent				1802	900	1802	900	Expedited Design			
1205	18	2205	9	*Reissue claims in excess of 20 and over original patent				OTHER (indicate below):							
SUBTOTAL (2)								\$0.00							
* or number previously paid, if greater; For Reissues, see above								SUBTOTAL (3)						\$750.00	

Name	Steven B. Kelber			Registration No.		30,073		
Signature				Date	7/25/03		Telephone	202-861-3900
Name				Registration No.				

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven Kelber on Thursday, May 15<sup>th</sup>, 2003.

The application has been amended as follows:

**IN THE CLAIMS:**

59 (Amended). A method for modifying a tobacco curing barn provided with a direct fire heating unit for the purpose of providing conditions suitable for curing tobacco such that resulting cured tobacco obtained from said barn possesses a tobacco-specific nitrosamine content lower than that obtained prior to such modification, the method comprising:

removing the direct fire heating unit from the tobacco barn,  
providing the tobacco barn with a heating unit that does not generate exhaust gases comprising nitric oxides in a fashion that would cause contact between said nitric oxides and said tobacco within said barn, and further modifying said barn to ensure that the nitric oxide level within the barn during tobacco curing is suppressed to prevent formation of tobacco-specific nitrosamines [permit correlation of the tobacco-specific nitrosamine content of said cured tobacco with the actual level of nitric oxides to which

said tobacco is exposed in said barn, wherein said barn as modified may be used for the curing of tobacco leaves].

2. The following is an examiner's statement of reasons for allowance: The prior art of record suggests modifying a tobacco curing barn by replacing a direct fire heater with an electric or convection heater, which would inherently provide the tobacco barn with a heating unit that does not generate exhaust gases comprising nitric oxides; however, the prior art of record, does not teach nor reasonably suggest further modifying the barn to ensure that the nitric oxide level within the barn during tobacco curing is suppressed to prevent formation of nitrosamines in the tobacco, as Applicant has now claimed – which is fully supported by the instant specification on page 3, lines 30-34 and page 9, lines 31-32.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dionne A. Walls whose telephone number is (703) 305-0933. The examiner can normally be reached on Mon-Fri, 7AM - 4:30PM (Every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven P. Griffin can be reached on (703) 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

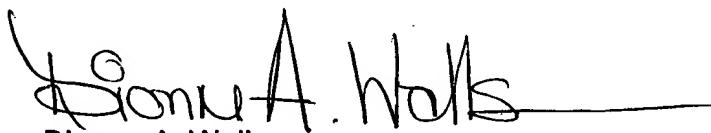
Application/Control Number: 09/735,177

Page 4

Art Unit: 1731

872-9310 for regular communications and (703) 872-9311 for After Final  
communications.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is (703)308-  
0661.



Dionne A. Walls

May 17, 2003